



Commissioner for Patents  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/917,791	07/31/2001	Mark Dertzbaugh	

Elizabeth Arwine  
Office of Command Judge Advocate  
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CONFIRMATION NO. 9485

**FORMALITIES LETTER**



\*OC000000009028424\*

Date Mailed: 10/29/2002

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

*Filing Date Granted*

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

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*A copy of this notice **MUST** be returned with the reply.*

*John*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In r application of )  
Mark T. Dertzbaugh )  
USSN 09/917,791 )  
Filed: July 31, 2001 )  
For: PROTECTIVE PEPTIDES OF NEUROTOXIN OF C. BOTULINUM

DECLARATION

Honorable Commissioner of Patents December 30, 2002  
and Trademarks  
Washington, D.C. 20231

Sir:

I, Glenna Hendricks, the registered patent attorney responsible for filing the original application cited above, provide herewith a copy of the sequences filed in the application along with a listing of the sequence information and a diskette with the same sequence data. I hereby declare that the sequences and other material on the diskette are the same as in the application as filed and that no new matter has been added.

I further declare that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 101 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully Submitted;

Glenna Hendricks, Reg. No. 32,535